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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FLOYD A. CUMMINGS,
Plaintiff,
v.
MOON JEU, et al.,
Defendants.

No. 2:13-cv-00128 DAD P

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On August 27, 2013, the court dismissed plaintiff’s amended complaint and granted plaintiff leave to file a second amended complaint. On September 16, 2013, plaintiff filed a letter directed to the Clerk of the Court advising the court that he was seeking assistance and access to the prison law library but that he may be “behind on ‘dead line.’” The court will construe plaintiff’s letter as a request for an extension of time to file and serve his second amended complaint.

Accordingly, IT IS HEREBY ORDERED that:

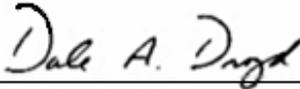
1. Plaintiff’s September 16, 2013 letter, construed as a motion for an extension of time (ECF No. 13), is granted; and

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2. On or before October 28, 2013, plaintiff shall file and serve his second amended complaint as set forth in the court's August 27, 2013 order.

Dated: September 18, 2013



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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